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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**

**CENTRAL DIVISION**

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**RICHARD S. ZABRISKIE,**

**Plaintiff,**

**vs.**

**GRANT MARSH et al.,**

**Defendants.**

**ORDER AFFIRMING MAGISTRATE  
JUDGE'S ORDER**

**Case No. 2:10CV676 DAK**

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This matter is before the court on the Magistrate Judge's Report and Recommendation, dated February 22, 2011 (the "R&R"). In the R&R, the Magistrate Judge recommends that Defendants' Motion to Dismiss be granted and that Plaintiff's Motion to Stay be denied or deemed moot.

Plaintiff has not filed an Objection to the R&R, and the time for doing so has expired. The court has reviewed the complete case file *de novo*, and the court agrees with the Magistrate Judge's recommendations.

Therefore, the court hereby APPROVES AND ADOPTS the Magistrate Judge's Revised R&R in its entirety. Defendants' Motion to Dismiss [Docket No. 24] is hereby GRANTED, and Plaintiff's Motion to Stay [Docket No. 31] is DENIED. All claims are hereby DISMISSED, and the Clerk of the Court is directed to close this case.

DATED this 11<sup>th</sup> day of March, 2011.

BY THE COURT:

  
DALE A. KIMBALL  
United States District Judge